

Changes to educator licensure approved by Board of Education

In an effort to combat educator shortages in classrooms throughout Massachusetts, the state education board on June 27 approved changes to make it easier for existing educators to teach special education and English as a second language, two fields that have long required additional licensing.

Currently, there is no pathway for Massachusetts educators who have professional teaching licenses to get provisional licenses to teach in those specialized areas, but the adopted changes will make it possible.

Licensed educators who have at least two years of experience working with students with disabilities in general education classrooms will now be qualified to obtain a provisional license to teach special education.

General classroom teachers interested who have taught English learners for two years can do the same, but would also need to pass the Massachusetts Tests for Educator Licensure, or MTEL, for ESL, and have at least two years of experience

in second language acquisition.

Other changes the board approved include the creation of new specialized licenses for those who teach students with moderate and severe disabilities in prekindergarten through second grade.

The state currently offers licenses for educators teaching students with severe disabilities at all grade levels, as well as to those who teach students with moderate disabilities from grades pre-K to eight and five to 12. But the new pre-K to second grade special education license was created to draw more educators into those classrooms.

To teach students with severe and moderate disabilities, educators are required to pass three separate MTEL exams, including communication and literacy skills, foundations of reading, and general curriculum. But those interested in pursuing the pre-K to second grade license will only need to pass the early childhood MTEL, which “includes elements such as child development and the science of reading.”

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Day on the Hill returns to the Hill

MASC President Stacey Rizzo welcomed back more than 200 school committee members, legislators, educators and students to MASC’s annual Day on the Hill advocacy program, held in person for the first time since the start of the pandemic. In her opening remarks, Rizzo commented on the upheaval driven by the pandemic and politics that “has disrupted our lives, and fueled the discord surrounding masking, critical race theory, advocating for our LGBTQ students, and our efforts to conduct school committee business in an increasingly contentious and disrespectful climate.”

Rizzo reminded school leaders that as they prepare for the unprecedented challenges around remediating student learning loss and the end of federal pandemic relief dollars, they have the invaluable support of MA legislators—many of whom previously served on their

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Draft Health Education Framework Goes out for Public Comment

Following the Governor’s June 21 release of a draft proposal to update the state’s health and physical education framework so as “to incorporate a modern understanding of health and wellness into the curriculum,” at its June 27 meeting the Board of Elementary and Secondary Education voted unanimously to send the framework out for public comment—the next step in updating guidelines that have been in place since 1999.

The draft updated framework outlines standards for what a comprehensive health and physical education program should include: mental and emotional health; personal safety, including safety from gun violence; physical health and hygiene; healthy relationships, including safety from dating violence; nutrition and balanced eating; physical activity

and fitness; substance use and misuse; gender, sexual orientation, and sexual health; and public, community, and environmental health. The framework is LGBTQ+ inclusive, medically accurate and developmentally- and age-appropriate. Implementation will be left up to schools.

The Department of Elementary and Secondary Education, educators, and health experts began the process of revising the framework several years ago, ultimately leading to the draft shared at the board meeting.

The public comment period is a chance for anyone interested to weigh in. The Board voted to collect feedback on the framework over the next 60 days. After the public comment period is closed, the board could revise the draft and vote on implementing the new framework, likely

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MA NEWS

GOBI NAMED RURAL AFFAIRS DIRECTOR

Sen. Anne Gobi has joined the administration as the new director of rural affairs in the Executive Office of Economic Development.

In this new role created by the administration, Gobi will serve as a dedicated advocate cultivating economic development in rural communities. In a statement, Governor Healey said Gobi will ensure that the needs of rural and regional economies are incorporated into the state's economic development plan and will be responsible for coordinating with secretariats and state agencies to ensure that state government "is attuned to the unique needs of these towns."

Gobi was first elected to the Legislature in 2001 as a representative and became a senator in 2014, representing 22 communities in Worcester and Hampshire counties, several of which are rural.

Prior to being elected to the Legislature, she taught at Leicester High School, had her own law office, and worked with victims of domestic violence at Central Mass Legal Assistance. A lifelong Spencer resident, Gobi graduated from Worcester State University and the Massachusetts School of Law.

In 2015, Gobi received MASC's Legislator of the Year award.

NATIONAL NEWS

COORDINATOR APPOINTED TO ADDRESS BOOK BANS IN SCHOOLS

The U.S. Department of Education's Office for Civil Rights is appointing a new coordinator to take on book bans in classrooms and libraries across the country.

The coordinator is to develop new training for schools nationwide regarding how book bans targeting specific communities and driving "hostile school environments" may

violate federal civil rights laws.

The Education Department created the position as books are increasingly being pulled from school and library shelves because of district response to growing state legislation and parent-led groups.

The move also marks a growing wave of pushback against these efforts in other quarters. For instance, Illinois is poised to become the first state to bar book bans, while major publisher Penguin Random House joined a book ban lawsuit in May against a Florida school district.

U.S. DOE SHARES INSIGHTS AND RECOMMENDATIONS FOR ARTIFICIAL INTELLIGENCE

The U.S. Department of Education's Office of Educational Technology (OET) has released a report, "Artificial Intelligence (AI) and the Future of Teaching and Learning: Insights and Recommendations" that summarizes the opportunities and risks for AI in teaching, learning, research, and assessment based on public input.

The new report addresses the clear need for sharing knowledge, engaging educators and communities, and refining technology plans and policies for AI use in education. It recognizes AI as a rapidly advancing set of technologies that can enable new forms of interaction between educators and students, help educators address variability in learning, increase feedback loops, and support educators. It also outlines risks associated with AI—including algorithmic bias—and the importance of trust, safety, and appropriate guardrails to protect educators and students. The report recommends that the Department continue working with states, institutions of higher education, school districts and other partners to collaborate on the following steps:

1. Emphasize Humans-in-the-Loop
2. Align AI Models to a Shared Vision for Education
3. Design AI Using Modern Learning Principles
4. Prioritize Strengthening Trust

MASC Board members named to NSBA Board of Directors



MASC President-Elect **Mildred Lefebvre**, a member of the Holyoke School Committee and **Devin Sheehan**, Past President of MASC, former member of the Holyoke School Committee and currently a member of the Greenfield Virtual School District School Committee were recently elected to positions on the National School Boards Association's Board of Directors. Sheehan joins the Board as Secretary-Treasurer and Lefebvre was elected Chair of NSBA's National Hispanic Caucus.

5. Inform and Involve Educators
6. Focus R&D on Addressing Context and Enhancing Trust and Safety
7. Develop Education-specific Guidelines and Guardrails

To gather information and formulate insights, OET partnered with Digital Promise, a global nonprofit that works to expand opportunities for every learner. Over 700 educational stakeholders participated in a series of four public listening sessions in summer 2022. Stakeholders described promising opportunities they see for AI in education and discussed risks—especially risks of algorithmic bias—and called for stronger educational technology guidance.

The report can be downloaded at: <https://www2.ed.gov/documents/ai-report/ai-report.pdf>

Day on the Hill

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local school boards. As the FY24 budget moves toward the finish line, Rizzo urged attendees to take their message and their priorities directly to their legislators and staffs. “We have provided you with resources and background materials, and your representatives need to hear how their decisions will impact your schools and your students. And we have a number of those key decision-makers here to speak with us—and learn from us—today.”

Each of the legislators who spoke at the event reiterated a single point: the need for school leaders to build relationships with their legislators and share their concerns and priorities. “Bring examples,” urged **Rep. Denise Garlick**, Co-chair of the Joint Committee on Education. “You are the voice of education in your community. We on the Hill are relying on you to educate us on the nuances of your issues. Explain it in terms of what is happening on the ground. What does what you say look like?”

Garlick reminded attendees of “the similarities in our work. Yours is around policy and budget, but it is also about process. So is ours.” And in the legislative process, she cautioned, things take time. “I won’t make promises I can’t deliver on, but I can promise you that there is consensus around continuing full SOA and circuit breaker funding in the House. We are all here today because we are trying to ensure the best for the students of Massachusetts. And on the Hill, your voices are heard and your opinions are shared.”



Rep. Denise Garlick, Chair, House Committee on Education



Clockwise from upper left: MASC Vice President/Legislative Committee Chair Jason Fraser; Sen. Jason Lewis, Education Committee Co-Chair; Rep. Steve Ultrino, Vice Chair, House Committee on Education



Rep. Steve Ultrino, a former member (8 years) of the Malden School Committee and past Chair of MASC’s Division II, noted “we are all politicians in this room.” Ultrino, who currently serves as Vice Chair of the House Committee on Education, reiterated the importance of connecting with legislators. “Know your issues, do your research, keep it simple. Come prepared with stories of what is happening in the schools in your community. Listen to teachers, custodians, guidance counselors, principals. Get the best superintendent you can find and the best professionals in front of the kids. There is nothing more important. You have a partner in the legislature in me.”

MASC Vice President **Jason Fraser** who chairs the Association’s Legislative Committee reviewed some of the key legislative priorities that MASC is supporting in the current session. These priorities, Fraser explained, are underscored by the need to craft legislation to ensure equitable educational experiences for all students. Eight years ago, the Foundation Budget Review Commission issued its report outlining

inequities in funding across school districts. The Student Opportunity Act of 2019 realigned funding hoping to address those inequities, but gaps remain to be addressed, he noted.

One of these is seen most prominently in the plight of rural schools across the state as they struggle to maintain services and programs in the face of declining enrollment. The National School Boards Association recently launched a summit to address these challenges and, at the state level, Sen. Joanne Comerford and Rep. Natalie Blais co-authored an omnibus bill to provide a sustainable future for rural schools.

“Four years ago legislators stood together to support the Student Opportunity Act even if their districts did not gain from the initiative. I ask you to stand today and support our rural schools, and ask your legislators to support the legislation.”

Fraser also outlined other priorities, including: support for increasing Chapter 766 funding and full funding for the circuit breaker; the 2022 Delegate Assembly’s support of a resolution to adjust the Chapter 40 law to permit municipalities to establish a regional school assessment reserve fund that could be accessed in years when assessments increase more than 3.5 percent;

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Student privacy laws — are you compliant?

Districts collect and maintain student data in a variety of manners. It is critical for all administrators to understand key student privacy laws, including the Protection of Pupil Rights Amendment (PPRA) and Family Educational Rights and Privacy Act (FERPA).

PPRA

The Protection of Pupil Rights Amendment (PPRA) — 20 United States Code (USC) 1232h, 34 Code of Federal Regulations (CFR) part 98 — affords parents of students various rights, including those related to student participation in surveys, the collection and use of information for marketing purposes and certain physical examinations. Districts must develop and adopt policies to address student privacy and parent rights under PPRA and directly notify parents of these policies at least annually at the start of each school year as well as within a reasonable period of time after any substantive changes to the policies.

Parental consent must be received prior to requiring a student to take a survey that concerns one or more of the following areas:

- political affiliations or beliefs of the student or the student's parent;
- mental or psychological problems of the student or the student's family;
- sexual behavior or attitudes;
- illegal, anti-social, self-incriminating or demeaning behavior;
- critical appraisals of other individuals with whom respondents have close family relationships;
- legally recognized privileged or analogous relationships, such as those with lawyers, physicians and ministers;
- religious practices, affiliations or beliefs of the student or the student's parent;
- income (other than that required by law to determine eligibility for participation in a program and/or for receiving financial assistance under such a program).

The district also must notify parents about the opportunity to opt a student out of any protected information survey if the survey is not funded as part of a program administered by the U.S.

Department of Education (USDOE) or is funded as part of a program administered by USDOE but does not require student submissions. Districts also must allow parents to opt students out of activities involving the collection, disclosure or use of personal information from students for the purpose of marketing or sales (or to otherwise distribute such information to others for that purpose) with some exceptions.

FERPA

The Family Educational Rights and Privacy Act (FERPA) (20 USC 1232g; 34 CFR Part 99) is a federal law that protects the privacy of student education records. While FERPA grants many protections and rights, a concern for schools is disclosure requirements. Generally, schools must have written permission from the parent or eligible student to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR 99.31):

- school officials with legitimate educational interest;
- other schools to which a student is enrolling or transferring;
- specified officials for audit or evaluation purposes;
- appropriate parties in connection with financial aid to a student;
- organizations conducting certain studies for or on behalf of the school;
- accrediting organizations;
- to comply with a judicial order or lawfully issued subpoena;
- appropriate officials in cases of health and safety emergencies;
- state and local authorities, within a juvenile justice system, pursuant to specific state law.

Schools may disclose, without consent, "directory information," which is information contained in an education record that would generally not be considered harmful or an invasion of privacy if disclosed.

Under FERPA, directory information includes, but is not limited to, the

student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status, such as undergraduate or graduate, full time or part time; dates of attendance; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended.

Schools must notify parents and eligible students about directory information and allow a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The means of notification is left to the discretion of each school.

Information about a homeless child's or youth's living situation is part of the student education record and is not considered directory information.

Release of information to military recruiters

Districts that receive funds under the Elementary and Secondary Education Act (ESEA) must provide military recruiters with the names, addresses, school email addresses and telephone listings of secondary school students upon request. This requirement is contained in two federal statutes — 10 United States Code (USC) 503 and 20 USC 7908 — together, the "military recruitment statutes."

The William M. (Mac) Thornberry National Defense Authorization Act amended 10 USC 503 to include student school email addresses on the list of information that schools are required to provide to military recruiters. Interestingly, the amendment was not made to 20 USC 7908, which only requires districts to provide students' names, addresses and telephone listings to military recruiters. Under either statute, schools that do not comply with the provisions risk losing federal funding under ESEA.

The military recruitment statutes also require districts to notify parents that

the school discloses student names, addresses, telephone numbers — and now email addresses — to military recruiters upon request and allow a parent to opt out of such disclosures. Many districts use a single annual notice to satisfy the parental notification requirements of both FERPA and the military recruitment statutes.

Even if your district does not currently designate student names, addresses, telephone numbers or school email addresses as directory information in your annual FERPA notice, it still must provide this information to military recruiters upon request. In addition, the district must notify parents that they may opt out of this disclosure. In other words, a district that does not disclose student names, addresses, telephone numbers or email addresses as directory information must, nonetheless, provide a notice that it discloses this information to military recruiters. This may require an update to the district’s annual notice

or may require the district to send a separate disclosure statement to parents.

Practical considerations

As you review the requirements above, evaluate your internal protocols for release of and access to student data. Consider the following questions as part of your evaluation:

- Are all staff trained on key student privacy considerations? Do they know who to ask if there is a question about whether information about a student can be released?
- Are there protocols in place to address the impact of student privacy laws on technology programs?
- What is the district process for administering surveys? Is this approval, notification, review and opt-out process consistent with PPRA requirements?
- How are parents notified of their rights under FERPA, including what information the district has defined as directory information? What is the internal

process for release of directory information?

- How does the district manage the release of photos? Is a separate signoff in place? Are all staff made aware of students for whom photos cannot be released in this manner?
- Who has access to confidential student information? Are there additional steps that need to be built into the access process to prevent unauthorized access and/or disclosure?
- Are you providing the correct notification to parents on the release of information to military recruiters?
- Are you complying with all other federal and state laws for release of student information?

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Day on the Hill

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a bill calling for a Commission to study special education funding, as well as legislation proposed to provide school building assistance for Special Education Collaboratives sponsored by former MASC President Sen. Jake Oliveira; changes in the bidding process for transportation contracts; and legislation that would lift the MSBA cap on reimbursements that would make it possible for vocational schools to add seats to their much in demand programs, address equity issues in communities that can’t support overrides, and support green school buildings so every child has access to a high quality/healthy school environment.

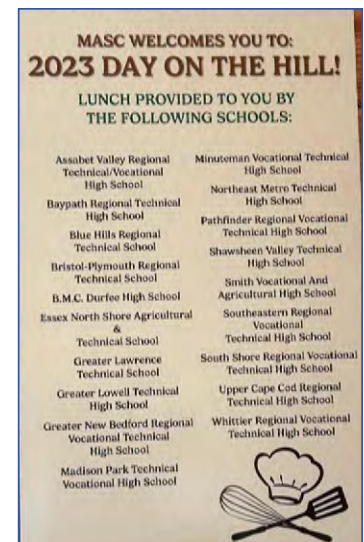
Senator Jason Lewis, Chair of the Senate Education Committee, was optimistic about SOA funding continuing on schedule, in spite of the 31% tax revenue decline for the month which was announced the day before. He noted that the House



budget doubled the minimum per-student aid, the largest increase in Chapter 70 and anticipated the Senate would also support increased funding.

Following the morning legislative presentations, attendees relocated to the Great Hall at the State House where many were joined by their local legislators for the ever-popular buffet lunch, prepared and catered by MA vocational school students. See photo (right) for the list of 19 schools that participated. MASC thanks the students and chefs who shared their culinary wizardry, and in particular **Assabet Valley Chef Lou Trudeau** who coordinated the event.

MASC President Stacey Rizzo presented members of the Hawlemont School Committee the 2022 All-State School Committee award (Division VI) which recognized the Committee’s efforts to restore its relationship with its parent region and rebuild a sense of trust and community among members and the district. At the podium is former chair Ken Bertsch and (left to right) Elizabeth Van Iderstine (current chair), Peggy Travers, and Anne Kaplan.



Senate budget announced.

Final budget is in conference committee

The fiscal 2024 state budget process has moved to the House-Senate conference committee after the Senate on May 25 passed a \$55.9 billion spending plan.

The Senate bill would increase discretionary local aid by 3.2%, provide \$60 per student in minimum new Chapter 70 aid, and increase the Rural School Aid account by \$15 million.

The Senate plan is very similar to the recommendation released by the Senate Ways and Means Committee on May 9.

The Senate adopted the budget committee's recommendations to strengthen the state program to help fund school building projects and to make a supplemental appropriation of \$100 million for local road and bridge maintenance.

Members of the conference committee will work out the differences between the budget bill passed by the Senate and the one approved by the House on April 27, before sending a final compromise bill to the governor. Conference committee members are: House Ways & Means Chair Aaron Michlewitz; Senate Ways & Means Chair Michael J. Rodrigues; Rep. Ann-Margaret Fer-

rante, Sen. Cindy F. Friedman; Rep. Todd M. Smola; and Sen. Patrick M. O'Connor.

Key local accounts

The Senate budget would increase Unrestricted General Government Aid by \$39.3 million (3.2%), which is twice the projected rate of state revenue growth for fiscal 2024 (the "consensus revenue forecast").

The Senate budget would increase Chapter 70 education aid by \$603 million over the current year, for a total of \$6.59 billion. This funding level would continue to fund the Student Opportunity Act on the intended schedule.

In recognition of the challenges faced by 119 school districts that receive only minimum new aid, the Senate bill –like the House version – would double the per-pupil minimum aid amount to \$60 per student. (The budget filed by the governor on March 1 had proposed \$30.)

The \$100 million in additional funding for local roads and bridges in the Senate bill would be funded by the voter-approved surtax on annual incomes over \$1 million (known as the Fair Share Amendment). Half of the \$100 million appropriation

would be allocated using the Chapter 90 formula, and half would be allocated using a formula based on road miles.

The Senate would also use \$100 million in Fair Share funding to provide relief for districts that started school projects in recent years, in partnership with the Massachusetts School Building Authority, and whose project costs have far exceeded original estimates.

While the budget bill approved by the House (H. 3901) proposed authorizing an electronic Lottery (iLottery), the Senate budget did not include a similar outside section.

MASC has indicated its support of Chapter 70 minimum aid at \$60 per student, and fully funding the Special Education Circuit Breaker and Charter School Mitigation payments. MASC also support \$15 million for Rural School Aid, full funding for regional school transportation and the transportation of home-less students under McKinney-Vento, and 90% reimbursement rate for out-of-district vocational school transportation.

The Association also supports various investments from the Fair Share Amendment, including funding for universal school meals, green infrastructure for school buildings, and supplemental funding for the Massachusetts School Building Authority.

Draft Framework

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later this summer or in the fall.

State law (G.L. c. 71, § 1 and G.L. c. 71, § 3) requires all public schools to teach health education and physical education, but school districts have discretion to determine how standards are implemented at the local level, including what curriculum and materials they will use. State law (G.L. c. 71, § 32A) also gives parents the right to opt out their children from lessons related to sex education, a small portion of the knowledge covered in this framework.

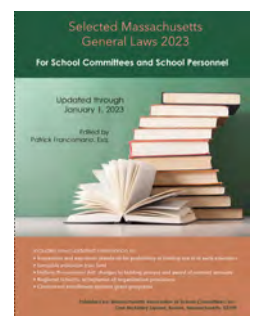
The draft framework is available at: <https://www.doe.mass.edu/frameworks/health/2023-07-health-draft.pdf>,

Interested educators, parents, students, and members of the public can submit comments on the draft via this survey <https://survey.alchemer.com/s3/6646350/Comprehensive-Health-and-Physical-Education-Framework-Public-Comment>, by emailing chpef@mass.gov or by mailing written comment to Kristen McKinnon, Assistant Director, Office of Student and Family Support, Department of Elementary and Secondary Education, 75 Pleasant St., Malden 02148. The public comment period will end on Monday, August 28.

COMING SOON TO YOUR SCHOOL DISTRICT

Copies of the 2023 MA General Laws for School Committees and School Personnel will be mailed in July to school district offices with copies for all school committee members, superintendents, school business officers and the student rep.

To order additional copies (member rate: \$60), email: jhandy@masc.org.



MASC SUMMER INSTITUTE

Are YOU registered??

July 14-15, 2023

Marriott Courtyard, Marlboro

Join your MASC colleagues at an information-packed summer session that will update you on managing new realities (and challenges) around school committee meetings, leadership, and legislative updates.

Register for one day, or both, but register. You will thank yourself for the rest of the year.

Sessions include:

Friday

Effective Meetings • MIAA Hot Button Issues: Logistics, Eligibility, Civility, and the Future of Competitive Sports

Saturday

Role of the Chair • Public Comment Update: Do's and Don'ts in Managing Public Comment during School Committee Meetings



Register online at: <https://www.masc.org/event/2023-masc-summer-institute/>



JOINT CONFERENCE EARLY BIRD SAVINGS

Register before July 15 for early bird
MASC/MASS conference savings.

Emerald Resort Cape Cod Irish Village
35 Scudder Ave, Hyannis

The conference will be held November 8-10 in Hyannis and features more than 70 sessions; keynote presentations on taking diversity initiatives from theory to practice, and the role of Artificial Intelligence in teaching and learning; as well as a complete new member orientation (Charting the Course) session on Friday, November 10.

A list of sessions to date is posted on the MASC website. Register online for meals and the event at <https://www.masc.org/event/2023-masc-mass-joint-conference/>

Hotel registration information is also included on the website. **See you in November.**

Multicultural education expert appointed to Board of Education

Governor Healey, on the recommendation of Secretary of Education Patrick Tutwiler, has appointed Professor **Ericka Fisher** of Worcester to the Board of Elementary and Secondary Education. Dr. Fisher is a leading expert in multicultural education and currently serves as an Associate Professor and the Chair of the Department of Education at College of the Holy Cross in Worcester.



Dr. Fisher's scholarly research focuses on social and education issues, particularly multicultural education and the intersection of social justice and education. At Holy Cross, colleagues and community members have lauded Dr. Fisher's

leadership and commitment to students, as well as her dedication to creating positive change, particularly for students of color and other historically marginalized students. Dr. Fisher is the author of *Educating the Urban Race: The Evolution of an American High School*, in which she uses historical and quantitative data, interviews, and observations to capture the many factors at play in an urban high school like Burncoat High School in Worcester.

Dr. Fisher replaces former Board member Tricia Canavan from Springfield whose position was coterminous with the Baker-Polito administration.

educator licensure

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The changes also create a provisional license that allows registered nurses to become school nurses. Currently, registered nurses must have a bachelor's or master's degree in nursing, pass the communication and literacy skills part of the MTEL, complete orientation by the Department of Public Health, and have two full years of employment in a clinical nursing setting to get an initial school nurse license. Nurses operating under the provisional license do not need the two years of experience, but must eventually meet the requirement to obtain a full license.

A majority of 350 parents, teachers, and district administrators who submitted public input on the issue supported the changes.

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